PATENT COOPERATION TRE

PCT



INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 89. WO2			of International Search Reports, where applicable, item 5 below.	
International application No.	International filing date (day/m	onth/year) (Earliest) P	Priority Date (day/month/year)	
PCT/IB 01/01111	23/05/2001		28/12/2000	
Applicant				
GENSET et al.				
This International Search Report has bee according to Article 18. A copy is being tr			ansmitted to the applicant	
This International Search Report consists [X] It is also accompanied by	of a total of2 a copy of each prior art docume	sheets. ent cited in this repo r t.		
Basis of the report	· · · · · · · · · · · · · · · · · · ·			
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3. Unity of invention is lacking (see Box II).				
4. With regard to the title,				
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the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.				
6. The figure of the drawings to be put	• •	∍ No.		
as suggested by the app			None of the figures.	
	tiled to suggest a figure.			
because this figure bette	er characterizes the invention.			

mational Application No

, PCT/IB 01/01111

CLASSIFICATION OF SUBJECT MATTER PC 7 C12N15/12 C07K C07K14/47 A61K38/17 According to International Patent Classification (IPC) or to both national classification and IPC B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) C12N C07K A61K IPC 7 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EMBL, EPO-Internal, MEDLINE, WPI Data, PAJ, BIOSIS C. DOCUMENTS CONSIDERED TO BE RELEVANT Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. χ DATABASE EMBL 'Online! 4-11 Acc. No. Q9UBJ3, XP002207832 the whole document EP 0 976 824 A (AMSTERDAM MOLECULAR 1-11 Α THERAPEUTI) 2 February 2000 (2000-02-02) SEQ ID No. 23 THE JOURNAL OF BIOLOGICAL CHEMISTRY, T 1-11 vol. 276, no. 48, November 2001 (2001-11), pages 44512-44520, XP002207831 the whole document Further documents are listed in the continuation of box C Patent family members are tisted in annex X * Special categories of cited documents *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the "A" document defining the general state of the lart which is not considered to be of particular relevance invention "E" earlier document but published on or after the international "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to "L" document which may throw doubts on priority claim(s) or involve an inventive step when the document is taken alone which is cited to establish the publication date of another citation or other special reason (as specified) "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the *O* document referring to an oral disclosure, use, exhibition or document is combined with one or more other, such docu ments, such combination being obvious to a person skilled other means in the art document published prior to the international filing date but later than the priority date claimed *&* document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 29 July 2002 20/08/2002 Name and mailing address of the ISA Authorized officer European Patent Office, P.B. 5818 Patentiaan 2 NL - 2280 HV Ruswijk Tel (+31-70) 340-2040. Tx 31 651 epo nl. Keller, Y Fax (+31-70) 340-3016

Information on patent family member

mational Application No PCT/IB 01/01111

date		Patent family member(s)	Publication date
02-02-2000	EP AU WO	0976824 A1 4910299 A 0003013 A2	02-02-2000 01-02-2000 20-01-2000
1		A 02-02-2000 EP AU	A 02-02-2000 EP 0976824 A1 AU 4910299 A

Form PCT4SA210 (patent family armer) (July 1992)



From the INTERNATIONAL SEARCHING AUTHORITY To: NOTIFICATION OF TRANSMITTAL OF GENSET Intellectual THE INTERNATIONAL SEARCH REPORT Property Department OR THE DECLARATION 24, rue Royale F-75008 Paris FRANCE (PCT Rule 44.1) Date of mailing (day/month/year) 25/08/2000 Applicant's or agent's file reference 56.W01 FOR FURTHER ACTION See paragraphs 1 and 4 below International application No. International filing date PCT/IB 99/02058 (day/month/year) 20/12/1999 Applicant GENSET et al. The applicant is hereby notified that the International Search Report has been established and is transmitted herewith. Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46): When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet. Where? Directly to the International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Fascimile No.: (41-22) 740.14.35 For more detailed instructions, see the notes on the accompanying sheet. The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith. With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that: the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices. no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made. 4. Further action(s): The applicant is reminded of the following: Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication. Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later). Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority

European Patent Office, P.B. 5818 Patentlaan 2

Authorized officer

NO LÉS TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments. differs from the sheet originally filed

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions. Section 205(b))

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- the claim is unchanged;
- the claim is cancelled:
- the claim is new;
- (iv) the claim replaces one or more claims as filed;
- the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the

- 1. [Where originally there were 48 claims and after amendment of some claims there are 51]: "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
- 2. [Where originally there were 15 claims and after amendment of all claims there are 11]: "Claims 1 to 15 replaced by amended claims 1 to 11."
- 3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or *Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged.*
- [Where various kinds of amendments are made]: Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added.

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's

P. ENT COOPERATION TREA

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

FOR FURTHER see Notification of Transmittal of International Search Report ACTION (Form PCT/ISA/220) as well as, where applicable, Item 5 below. International application No. PCT / IB 99 / 02058 Applicant This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau. This International Search Report consists of a total of	Applicant	(PCT Article 18 and Rules 43 and 44)	
International application No. International filing date (day/month/year) (Earliest) Priority Date (day/month/year) PCT/ IB 99 / 02058 20/12/1999 22/12/1998 GENSET et al. This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau. This International Search Report consists of a total of 5 sheets. It is also accompanied by a copy of each prior art document cited in this report. 1. Basis of the report a. With regard to the language, the international search was carried out on the basis of the international application in the Integrational search was carried out on the basis of a translation of the International application furnished to this Authority (Pule 23 (b)). With regard to any nucleotide and/or amino acids sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing: contained in the international application in written form. If the discipation with the international application in computer readable form. If unlished subsequently to this Authority in computer readable form. If unlished subsequently to this Authority in written form. If unlished subsequently to this Authority in computer readable form. If unlished subsequently to this Authority in computer readable form is identical to the written sequence listing has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished. The text is approved as submitted by the applicant. The text is approved as submitted by the applicant. The text is approved as submitted by the applicant to Rule 38 2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of malling	Applicant's or agent's file reference	FOR EURTUER	
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Patent document	Publication			
cited in search report.	date	Patent family member(s)	Publication date	
W0 9845437 A 	15-10-1998	AU 6956798 / EP 0973899 /	A 30-10-1000	
DE 10016000	23-07-1998	AU 5923398 A AU 5927398 A AU 6030398 A AU 6241698 A EP 0972022 A EP 0972023 A EP 1007663 A EP 0972025 A EP 0988385 A WO 9831799 A WO 9831800 A WO 9831801 A WO 9831806 A AU 8066798 A WO 9856804 A	07-08-1998 07-08-1998 07-08-1998 07-08-1998 19-01-2000 19-01-2000 19-01-2000 19-01-2000	
DE 19816395 A	07-10-1999	WO 9951727 A	14-10-1999	

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

1. Claims: 1-30 (in part)

An isolated nucleic acid comprising the sequence as set forth in Se.id.no.24 of the sequence listing and an aminoacid sequence encoded by the same, having sequence as set forth in Seq.id.no.74. Methods of screening and isolation of said sequences.

2. Claims: 1-30 (in part)

Subjects from 2 to 49:

Same as for subject 1, but referring to the following couples of sequences (respectively DNA and aminoacid):

2: Seq.id.nos.25 and 75.

3: " " " 26 and 76.

. . .

49: Seq.id.nos.73 and 123.

In Dional application No. PCT/IB 99/02058

Box I Observations wher	re certain claims were found unsearchable (Continuation of item 1 of first sheet)
T	Continuation of item 1 of first sheet)
i his International Search Report	t has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
, Maria	Article 17(2)(a) for the following reasons:
1. Claims Nos.: because they relate to a	Stiplingt m H
	subject matter not required to be searched by this Authority, namely:
2. Claims Non :	
because they related	parts of the Internation 1.4
an extent that no meaning	earts of the International Application that do not comply with the prescribed requirements to such
	out out, specifically.
3. Claims Nos.:	
because they are depend	dent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
	and third sentences of Rule 6.4(a).
Box II Observations where i	unity of invention is lacking (Continuation of item 2 of first sheet)
This International Searching Auth	3 (** Transdation of Rem 2 of first sheet)
Author	rity found multiple inventions in this international application, as follows:
As all required additional se searchable claims.	earch fees were timely paid by the applicant, this International Search Report covers all
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As all an emphasis	
of any additional fee.	ould be searched without effort justifying an additional fee, this Authority did not invite payment
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covers only those claims for	id additional search fees were timely paid by the applicant, this International Search Report r which fees were paid, specifically claims Nos.:
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restricted to the invention firs	п rees were timely paid by the applicant. Consequently, this International Search Done to
1-30 in part	th fees were timely paid by the applicant. Consequently, this International Search Report is st mentioned in the claims; it is covered by claims Nos.:
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nark on Protest	The additional
	The additional search fees were accompanied by the applicant's protest.
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C07K14/47

C07K14/705

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

 $\label{eq:minimum documentation searched (classification system followed by classification symbols)} IPC 7 C12N C07K$

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

Category •	Citation of document, with indication, where appropriate, of the relevant passages	
	where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 45437 A (GENETICS INST) 15 October 1998 (1998-10-15) the whole document especially seq.id.no.1506	1-30
	WO 98 31818 A (HUMAN GENOME SCIENCES INC; BREWER LAURIE (US); NI JIAN (US); ROSEN) 23 July 1998 (1998-07-23) the whole document especially seq.id.no.1 142	1-30
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